

REGULAR COUNCIL MINUTES

Meeting #: C-01/2020 - Regular Council
Date: Monday, January 13, 2020
Time: 5:30 PM
Location: Town of Pelham Municipal Office - Council Chambers
20 Pelham Town Square, Fonthill

Members Present: Marvin Junkin
Mike Ciolfi
Lisa Haun
Bob Hildebrandt
Ron Kore
Marianne Stewart
John Wink

Staff Present: David Cribbs
Bob Lymburner
Jason Marr
Teresa Quinlin
Vickie vanRavenswaay
Barbara Wiens
Charlotte Tunikaitis

Other: Doug Freeland, District Kinsmen Club,
Tim Nohara, Cannabis Control Committee,
Gayle Baltjes, Fonthill Bandshell

**Members of the Public and other interested parties
Media**

1. Call to Order and Declaration of Quorum

Noting that a quorum was present, the Mayor called the meeting to order at approximately 5:34 pm.

2. Singing of National Anthem

The National Anthem was sung by those present to officially open the meeting.

3. Approval of Agenda

Moved By Marianne Stewart

Seconded By John Wink

**BE IT RESOLVED THAT the agenda for the January 13, 2020
Regular meeting of Council be adopted.**

Carried

4. Disclosure of Pecuniary Interests and General Nature Thereof

There were no pecuniary interests disclosed by any of the members present.

5. Hearing of Presentation, Delegations, Regional Report

5.1 Presentations

5.2 Delegations

5.2.1 Fonthill and District Kinsmen Club

Doug Freeland of the Kinsmen Club of Fonthill & District made verbal presentation to Council requesting the Town declare the week of February 16-22nd as "Kinsmen & Kinette Week" in Fonthill.

The Mayor thanked the Kinsmen Club for all the work they do within the community.

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council receive the delegation submitted by the Kinsmen Club of Fonthill and District; and

THAT Council proclaim February 16th to 22nd, 2020 as Kinsmen and Kinette Week.

Carried

5.2.2 Tim Nohara - Cannabis Control Committee

The Chair of the Cannabis Control Committee provided an update on the progress of the Committee since the last report.

Mr. Nohara requested funds to hire a Planning Professional to aid the work of the Committee.

Moved by Bob Hildebrandt

Seconded by John Wink

BE IT RESOLVED that Council receive the delegation by Tim Nohara, Chair of the Cannabis Control Committee, for information.

Amendment:

Moved By Ron Kore

Seconded By Lisa Haun

THAT Council hereby waives the requirement to follow the Purchasing Policy – Procurement of Supplies and Services – S402-00 with regards to hiring a professional Planner to aid the Cannabis Control Committee and their work; and

THAT Council authorize the Cannabis Control Committee to proceed with selecting and hiring a professional Planner; and

THAT Council hereby authorizes the Cannabis Control Committee to spend a maximum budget of \$40,000.00 on the contracted professional services; and

THAT the Mayor and Clerk shall have the signing authority for any contract or document required to retain said professional services.

Carried

Moved By Ron Kore

Seconded By Lisa Haun

BE IT RESOLVED that Council receive the delegation by Tim Nohara, Chair of the Cannabis Control Committee, for information; and

THAT Council hereby waives the requirement to follow the Purchasing Policy – Procurement of Supplies and Services – S402-00 with regards to hiring a professional Planner to aid the Cannabis Control Committee and their work; and

THAT Council authorize the Cannabis Control Committee to proceed with selecting and hiring a professional Planner; and

THAT Council hereby authorizes the Cannabis Control Committee to spend a maximum budget of \$40,000.00 on the contracted professional services; and

THAT the Mayor and Clerk shall have the signing authority for any contract or document required to retain said professional services.

Carried

Moved By Mike Ciolfi

Seconded By John Wink

BE IT RESOLVED THAT the CAO is hereby granted the authority to authorize an additional \$10,000.00 should the Cannabis Control Committee require additional funds.

Carried

5.2.3 Gayle Baltjes - Fonthill Bandshell

Gayle Baltjes from the Fonthill Bandshell Committee expressed the Committee's thanks to Council, Town staff, community volunteers and sponsors with regards to their support and effort in the 'Jazz Up Peace Park' project.

Ms. Baltjes indicated, to date, the Committee has reached 75% of their goal. In thanks, the Committee provided Council and staff Bandshell Committee pins.

Moved By Lisa Haun

Seconded By Ron Kore

BE IT RESOLVED that Council receive the delegation by Gail Baltjes, Chair of the Fonthill Bandshell Committee, for information.

Carried

5.3 Report of Regional Councillor: No Report

6. Adoption of Minutes

Moved By Ron Kore

Seconded By Lisa Haun

BE IT RESOLVED THAT the following minutes be adopted as printed, circulated and read:

1. C-21/2019 - Regular Council Minutes December 16, 2019

2. SC-41/2019 - Special Council Minutes December 16, 2019

Carried

7. Business Arising from Council Minutes: None

8. Request(s) to Lift Consent Agenda Item(s) for Separate Consideration

Item 9.5.2 – Amherstburg Resolution was lifted for separate consideration.

9. Consent Agenda Items to be Considered in Block

Moved by Mike Ciolfi

Seconded by Ron Kore

BE IT RESOLVED THAT the Consent Agenda items as listed on the January 13th, 2019 Council Agenda be received and the recommendations contained therein be approved, as applicable, save and except item 9.5.2

9.1 Presentation of Recommendations Arising from COW or P&P, for Council Approval

BE IT RESOLVED THAT COUNCIL HEREBY approves the Recommendations Resulting from the following:

- 1. COW-09/2019 - Committee of the Whole - December 16 2019**

9.2 Minutes Approval – Committee

9.2.1 COW-09/2019 Committee of the Whole Minutes December 16, 2019

BE IT RESOLVED THAT Council receive the COW-09/2019 Committee of the Whole minutes, dated December 16, 2019 for information.

9.4 Action Correspondence of a Routine Nature

9.4.1 ICIP Rural and Northern Stream – Transfer Payment Agreement

BE IT RESOLVED Council receive correspondence from the Province of Ontario dated December 18, 2019 regarding the Investing in Canada Infrastructure Program (ICIP) Rural and Northern Stream – Transfer Payment Agreement;

AND THAT Council approved the attached draft By-Law for execution;

AND THAT Council authorize and direct staff to execute the Transfer Payment Agreement and forward same to the Province of Ontario.

9.5 Information Correspondence Items

9.5.1 Transfer of Ownership to Region of Niagara - Niagara Central Dorothy Rungeling Airport

BE IT RESOLVED that Council receive the correspondence from the Niagara Region dated December 13th, 2019 regarding the transfer of ownership of the Niagara Central Dorothy Rungeling Airport, for information.

~~9.5.2 Town of Amherstburg Support – Joint and Several Liability Consultation–~~

~~BE IT RESOLVED THAT Council receive correspondence from the Town of Amherstburg, dated November 25, 2019, regarding Joint and Several Liability Consultation, for information. (Lifted)~~

9.5.3 Thank You Letter - Emily Bonisteel

BE IT RESOLVED THAT Council receive the thank you letter from Emily Bonisteel regarding her Town of Pelham Scholarship, for information.

9.7 Committee Minutes for Information

9.7.1 Mayors Youth Advisory Committee Minutes

BE IT RESOLVED THAT Council receive the Mayors Youth Advisory Committee Minutes dated November 19, 2019, for information.

9.7.2 Pelham Audit Committee Minutes

BE IT RESOLVED THAT Council receive the Pelham Audit Committee minutes dated July 15, 2019; September 11, 2019; October 16, 2019 and November 20, 2019, for information;

AND THAT Council approved the proposed name change from the Pelham Audit Committee to the 'Pelham Finance and Audit Committee';

AND THAT Council approved the proposed Revised Reference of Reference attached to the October 16th, 2019 Minutes

Carried

10. Items for Separate Consideration, if Any

8.1 Town of Amherstburg Support - Joint and Several Liability Consultation

Councillor Hildebrandt indicated Joint and Several Liability is an important issue, which affects the Town's insurance premiums. Councillor Hildebrandt requested the CAO to provide Council a brief explanation of Joint and Several Liability and how it may affect the Town. The CAO satisfied said request.

Moved by Mike Ciolfi

Seconded by Ron Kore

BE IT RESOLVED THAT Council receive correspondence from the Town of Amherstburg, dated November 25, 2019, regarding Joint and Several Liability Consultation, for information.

Amendment:

Moved By Bob Hildebrandt

Seconded By John Wink

THAT Council receive correspondence from the Town of Amherstburg, dated November 25, 2019, regarding Joint and Several Liability Consultation, for information; and

THAT Council endorse and support the Town of Amherstburg resolution; and

THAT the Clerk shall distribute the Town of Pelham’s support as noted in the resolution from the Town of Amherstburg

Carried

Amendment:

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT Council receive correspondence from the Town of Amherstburg, dated November 25, 2019, regarding Joint and Several Liability Consultation; and

THAT Council endorse and support the Town of Amherstburg resolution; and

THAT the Clerk shall distribute the Town of Pelham’s support as noted in the resolution from the Town of Amherstburg

Carried

- 11. Presentation & Consideration of Reports**
 - 11.1 Reports from Members of Council:**
 - 11.2 Staff Reports Requiring Action**
- 12. Unfinished Business**
- 13. New Business**
- 14. Presentation and Consideration of By-Laws**
 - Moved By** Mike Ciolfi
 - Seconded By** Ron Kore

BE IT RESOLVED THAT the Council of the Town of Pelham, having given due consideration to the following By-laws do now read a first, second and third time and do pass same, and THAT the Mayor and Clerk be and are hereby authorized to sign and seal the by-laws:

1. By-law 4186(2020) - Being a by-law to provide for an interim tax levy for the year 2020.

2. By-law 4187(2020) - Being a by-law to amend By-law No. 3728(2016) to establish 2020 Fees and charges to be collected by the Corporation of the Town of Pelham, and to Repeal By-law No. 4088(2019).

3. By-law 4188 (2020) Being a by-law authorizing the Mayor and Clerk or designate to enter into an agreement with Her Majesty The Queen in Right of the Province of Ontario as represented by the Minister of Agriculture, Food and Rural Affairs under the Investing in Canada Infrastructure Program (ICIP) Rural and Northern Stream.

Carried

15. Motions and Notices of Motion

16. Matters for Committee of the Whole or Policy and Priorities Committee

17. Matters Arising Out of Committee of the Whole or Policy and Priorities Committee

18. Resolution to Move in Camera

Moved By Lisa Haun

Seconded By Ron Kore

BE IT RESOLVED THAT Council recess the In Camera portion of the meeting and reconvene immediately following the Committee meeting scheduled for this evening.

Carried

Moved By Bob Hildebrandt

Seconded By John Wink

BE IT RESOLVED THAT the regular Council meeting of January 13th, 2020 do now reconvene to complete the agenda.

Carried

Moved By Ron Kore

Seconded By Mike Ciolfi

BE IT RESOLVED THAT the next portion of the meeting be closed to the public in order to consider a matter under Section 239 (2) of the Municipal Act, as follows:

Subsection 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, 239(2)(e) litigation or potential litigation, and 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (1 item)

Carried

19. Rise From In Camera

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT Council adjourn the In Camera Session and that Council do now Rise: With Report

Carried

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT the Chief Administrative Officer be and is hereby authorized to undertake the directions provided during the In Camera meeting of January 13, 2020.

Carried

20. Confirming By-Law

Moved By John Wink

Seconded By Bob Hildebrandt

BE IT RESOLVED THAT the following By-law be read a first, second and third time and passed:

Being a By-law No. 4189(2020) to Adopt, Ratify and Confirm the proceedings of Council of the Town of Pelham at its Regular Meeting held on the 13th day of January, 2020.

Carried

21. Adjournment

Moved By Marianne Stewart

Seconded By John Wink

BE IT RESOLVED THAT this Regular Meeting of Council be adjourned until the next regular meeting scheduled for February 3, 2020 at 5:30 pm.

Carried

Mayor: Marvin Junkin

Deputy Clerk: Holly Willford